

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRIDEX CORPORATION,
Plaintiff,

v.

QUANTEL MEDICAL, S.A., et al.,
Defendants.

Case No.18-cv-00153-SVK

**ORDER GRANTING PLAINTIFF'S
ADMINISTRATIVE MOTION TO SEAL
EXHIBIT A TO COMPLAINT**

Re: Dkt. No. 6

Before the Court is Plaintiff Iridex Corporation's ("Iridex") Administrative Motion to File Exhibit A to the Complaint Under Seal ("Motion"). Iridex seeks to seal certain business and financial information that is attached to its Complaint.

Courts recognize a "general right to inspect and copy public records and documents, including judicial records and documents." *Kamakana v. City & Cnty. Of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Communs., Inc.*, 435 U.S. 589, 597 & n.7 (1978)). A request to seal court records therefore starts with a "strong presumption in favor of access." *Kamakana*, 447 F.3d at 1178 (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). The standard for overcoming the presumption of public access to court records depends on the purpose for which the records are filed with the court. A party seeking to seal court records relating to motions that are "more than tangentially related to the underlying cause of action" must demonstrate "compelling reasons" that support secrecy. *Ctr. For Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1099 (9th Cir. 2016). For records attached to motions that re "not related, or only tangentially related, to the merits of the case," the lower "good cause" standard of Rule 26(c) applies. *Id.*; see also *Kamakana*, 447 F.3d at 1179. A party moving to seal court records must also comply with the procedures established by Civil Local Rule 79-5.

Here, the “compelling reasons” standard applies because Exhibit A to the Complaint is a part of the pleadings on which this action is based. *See In re NVIDIA Corp. Derivative Litig.*, No. 06–cv–06110–SBA, 2008 WL 1859067, at *3 (N.D.Cal. Apr. 23, 2008) (applying “compelling reasons” standard to request to seal complaint). Having considered the Motion, the Declaration of William E. Mosley in support thereof, the pleadings on file, the Court finds compelling reasons to seal Exhibit A. The Motion is hereby **GRANTED**.

IT IS HEREBY ORDERED that the following materials should be sealed and that counsel for Iridex may file the following materials under seal:

Document	Text to be Sealed	Basis for Sealing Portion of Document
Ex. A to the Complaint	Entire Exhibit	Narrowly tailored to confidential business and financial information

SO ORDERED.

Dated: January 16, 2018


SUSAN VAN KEULEN
United States Magistrate Judge